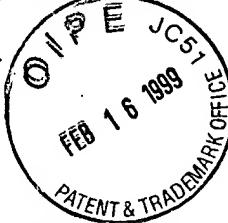


I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.

BY: Martha O. Hoxie



DATE: February 9, 1999

PATENT
BOX NON-FEE AMENDMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of : Group Art Unit: 1648
James A. Hoxie :
Appln. No.: 08/882,435 : Examiner: R. Budens
Filed: June 25, 1997 :
For: ANTIBODIES DIRECTED AGAINST : Attorney Docket
CELLULAR CORECEPTORS FOR : No. 9596-11U1
HUMAN IMMUNODEFICIENCY VIRUS : (I-1470)
AND METHODS OF USING THE SAME :
RECEIVED 1500/2900
99 FEB 22 AM 10:41
TECH CENTER 1500
GROUP 180

DECLARATION UNDER 37 C.F.R. § 1.131

I, James A. Hoxie, hereby declare as follows:

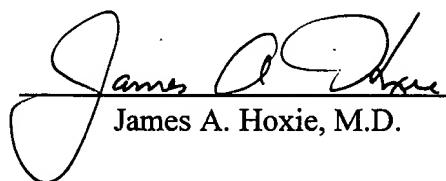
1. I am the inventor of the subject matter claimed in the above-captioned application.
2. The claimed invention was made in the U.S. prior to the publication of Feng et al., 1996, "HIV-1 Entry Cofactor: Functional cDNA Cloning of a Seven-Transmembrane, G Protein-Coupled Receptor," Science 272:872-876, and prior to the publication of Cohen, 1996, "Research News: Likely HIV Cofactor Found," Science 272:809-810. Support for this is found in the accompanying photocopies of original pages from two separate Applications for Continuation of Grant all of which demonstrate identification of the claimed anti-immunodeficiency virus antibody (*i.e.*, 12G5) prior to the publication of Feng et al., *supra*, and Cohen, *supra*, on May 10, 1996. These photocopies form Exhibit A attached hereto. The dates on these photocopies have been redacted, but these pages demonstrate that both Applications were filed with an appropriate U.S. government agency prior to May 10, 1996.

3. The claimed invention was reduced to practice in the U.S., in that, the experiments presented in the above-captioned application were performed in the U.S.

4. I declare further that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2/8/99

Date



James A. Hoxie, M.D.